

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YONATHAN I. GONZALEZ,
Plaintiff,

v.

NOR-CAL INSULATION, INC.; LUIS
RAMOS BERMUDEZ; JOSE
GUADALUPE LUCATERO,
Defendants.

Case No. 15-cv-00793 NC

ORDER TO SHOW CAUSE

Re: Dkt. No. 12

Plaintiff Yonathan Gonzalez moves to dismiss with prejudice this wage and hour case brought under the Fair Labor Standards Act and the California Labor Code. Gonzalez states that he settled this matter with defendants and that the parties signed a settlement agreement. Dkt. No. 12 at 2. Settlements of FLSA claims, however, require approval from the Court or the Secretary of Labor. *Luo v. Zynga Inc.*, No. 13-cv-00186 NC, Dkt. No. 34, 2014 WL 457742, at *2 (N.D. Cal. Jan. 31, 2014) (“A district court presented with a proposed settlement of FLSA claims must determine whether the settlement is a fair and reasonable resolution of a bona fide dispute.”) (internal quotation marks and citation omitted).

Accordingly, the parties are ordered to produce the settlement agreement and show cause why the Court should approve the settlement agreement and dismiss the case. The parties are further ordered either to file the settlement agreement publicly or else to show cause why the settlement agreement should be filed under seal under Civil Local Rule 79-5. The parties must file its response to this Order within 14 days.

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1 Additionally, this Court ordered defendants to file a consent or declination to
2 proceed before a magistrate judge by June 17, 2015. Dkt. No. 10. Defendants have not
3 done so. The Court orders defendants to file a consent or declination form by June 24.

4 Finally, the Court continues the case management conference, currently scheduled
5 for June 24, 2015, to July 8, 2015, at 10:00 a.m. in Courtroom 7, 4th Floor, at the San Jose
6 Courthouse. The parties must file a case management statement by July 1, 2015.

7 **IT IS SO ORDERED.**

8 Dated: June 18, 2015



NATHANAEL M. COUSINS
United States Magistrate Judge

United States District Court
Northern District of California